

Violence, chaos during Protest of 65 5th Ave.



Clockwise from left: Protesters standing on the roof of 65 5th Ave., flying an Anarchist flag on the antennae; unfurling a banner referring to a previous threat to shut down the university; David Segal, a Brooklyn College student, being arrested on 14th Street; NYPD officers chasing students down; Officers from the Manhattan South Task Force entering the building to make arrests

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dent, shows protesters outside lifting and throwing barricades moments later. As protesters ran away, police chased after them. Eleanor Kahn, NYU student, was arrested. David Segal, another Brooklyn College student, tried to wrest her from police, but was pushed away. Police tried to subdue him and he escaped momentarily until they caught up to him. David Benzaquen, a New School student, was shouting "shame" at police officers when one grabbed his face, pushed him to the ground, and walked away. Four officers then restrained Benzaquen by pressing his torso, limbs, and head against the sidewalk with their knees. Benzaquen was bleeding from the head when the three were taken to 100 Centre St. with the other 19 protesters from inside the GF.

New School administrators said that they were not responsible for the situation. "This is not a university situation, this is an NYPD situation," said Kerrey that morning in an interview. "The students broke

[into] and entered into the building."

"I cannot consider them students at this point," Kerrey added, referring to the students inside.

"New School officials contacted the police and asked that the intruders be arrested for forcing their way into the building," said a statement released by NYPD later Friday night. The group of protesters entered the GF around 5:30 a.m. using crowbars and boltcutters, according to a statement released by The New School. The statement also claims that the protesters forcibly escorted a maintenance worker from the building and injured the security supervisor on duty, John Benintendo, who stuck his leg through the 13th Street GF entrance as protesters were trying to close it. An updated post on the protesters' website, "The New School Reoccupation" says, "Indeed there was a brief altercation with a 'supervisor,' possibly a [maintenance] supervisor, who tried to open one of the doors and had it accidentally closed on his leg."

"The New School Reoccupation,"

which is presumably updated by students involved with the occupation, maintains that the guard was not hospitalized nor sustained any injury. "Any harm done to him could in no way be construed as intentional," the website reads.

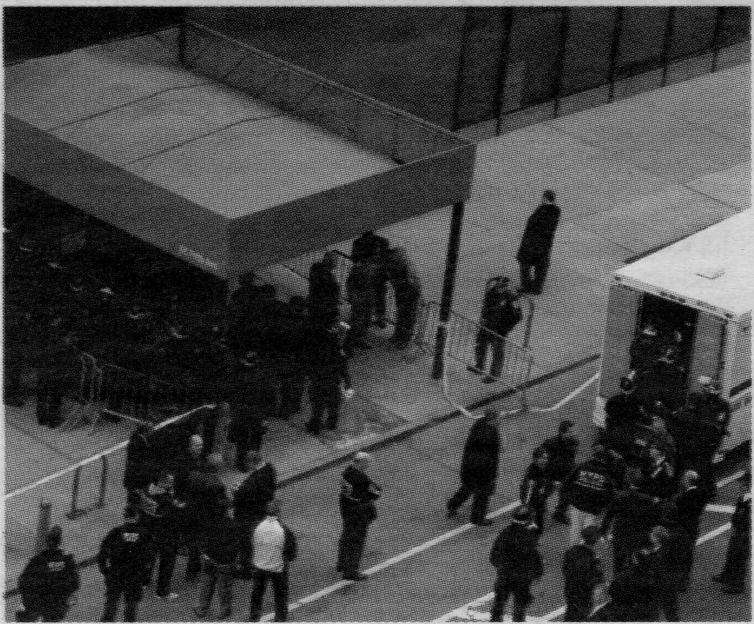
According to The New School's statement, Benintendo "sustained injuries to his leg and went to the emergency room at St. Vincent's Hospital." However, St. Vincent's does not have any record of anyone by that name being admitted on April 10.

"He was taken there by the police," said Caroline Oyama, Director of Communications at The New School. "I never heard he was admitted." Oyama speculated that any injuries sustained may not have been serious enough to require admittance to the ER.

According to The New School's timeline of events, two police officers were hurt by protesters and only one student was injured by police.

After their arrest, the protesters were taken to Central Booking at 100 Centre Street. The GF occupiers were charged with criminal trespassing, which is a misdemeanor. Some of them may still be facing more serious charges. Of the confirmed names of the GF occupiers Sean Bruesler, John Clegg, Jonathon Harvey, Tim Hearin, Eric MacPhail, Micah Murphy, Eric-John Russel, Laura Silverman, Richard Thomas, Nathan Thrower, and at least two others attend The New School. Farah Khimji and Drew Phillips both attend NYU. Francesca Manning attends Hunter College. Benzaquen, Kahn, and Segal may have been charged with resisting arrest and obstructing government administration. As of press time, the District Attorney was unavailable to confirm any charges.

"The administrative language is that [New School students involved



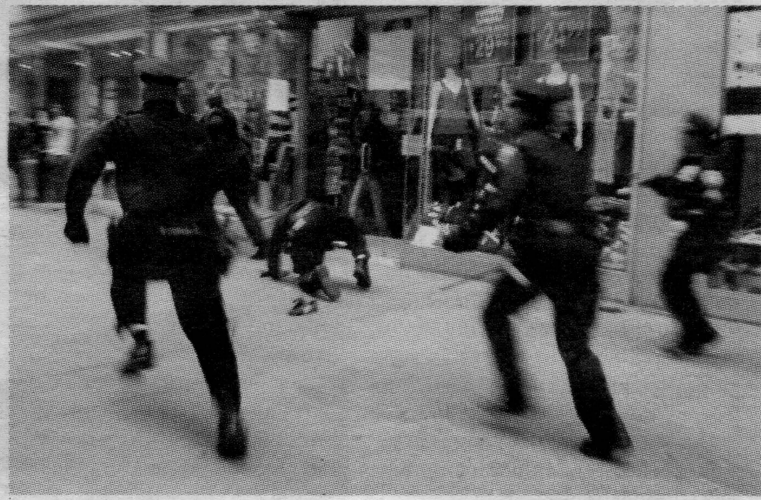
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in the occupation] are suspended pending administrative review," said Kerrey on Friday afternoon.

At 10 p.m. on Friday, roughly 100 supporters of the morning's 22 arrested protesters held a solidarity rally on the south steps of Union Square. The crowd was made up of students from New School, NYU, and other universities.

Following a brief press conference, protesters marched down 14th Street to Kerrey's house on 11th Street. When police began barricading the area around his home, protesters marched on to 65 5th Ave. As marchers approached the GF, NYPD replaced barricades at either end of the Fifth Avenue sidewalks, effectively dividing the group. Two people were confirmed to have been detained, although some reports say there were more.

The protesters regrouped in Union Square but dispersed shortly thereafter without any further incidents.

Chris Crews, New School for Social Research student and New School in Exile participant, said direct actions like an occupation

don't necessarily stifle other reform efforts and that less radical approaches, while often effective, can also be limiting. "I think to see what really needs to happen you can't just say, 'Hopefully, meetings with the president [are] going to solve everything,'" he said. "In my mind, that's sort of naive."

In a letter sent out Sunday evening, Faculty Senate co-chair Jim Miller condemned the behavior of both the police and protesters saying they "violate the core values" on which the university was founded.

"The University in Exile was, after all, founded by refugees who were fleeing, in part, gangs of political thugs," he said in his e-mail. "It shocks and saddens me to see self-styled anarchist poses trying to resurrect such threatening tactics."

For more complete coverage, check out the live blog of the occupation: <http://www.thenewcampus.org/nsfp>

—Additional reporting by Elisa Deljanin, Kevin Dugan and Kristina Monillos

Harold Koh, Obama's Legal Nominee, to Speak at Commencement

KEVIN DUGAN NEWS EDITOR

Harold Koh, former Yale Law School Dean and President Barack Obama's nominee for the State Department's legal advisor, will be the commencement speaker for The New School University's May 22 graduation at Madison Square Garden.

Koh, who was dean of Yale Law from 2004 to 2009, has served in both the Reagan and Clinton administrations. He has been a vocal critic of the Bush admin-

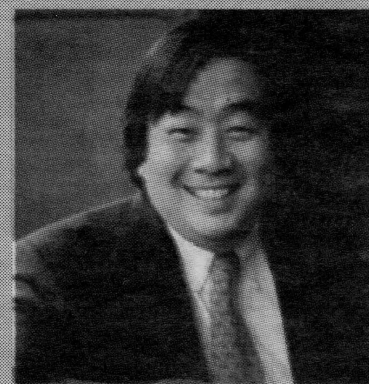
istration's use of the Iraq War and illegal torture such as waterboarding and detainment at sites like Guantanamo Bay.

Koh served in the Office of Legal Counsel at the Department of Justice from 1983 to 1985, and U.S. Assistant Secretary of State for Democracy, Human Rights and Labor from 1998 to 2001. According to his biography on the Yale Law School website, "Koh is a leading expert on public and private international law, national security law, and human rights."

Since Koh has been picked by Obama, he has received criticism

from conservative commentators as a proponent of international precedent and Sharia law, the Islamic legal code.

Meghan Clyne, a former speechwriter for the Bush administration, wrote an editorial in the *New York Post* equating him with "America's enemies and hostile international bureaucrats." She based this assertion on an e-mail from Steven J. Stein, a New York lawyer, that was posted on the National Review's "Phi Beta Cons" blog. In part, he said: "I recall at least one favorable reference to 'Sharia,' among other foreign laws that could, in an ap-



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Conservative pundits have suggested that Harold Koh wants to implement Sharia law

propriate instance (according to you) govern a controversy in a federal or state court in the US."

The *Post* later printed a letter to

the editor from Robin Reeves Zorthian, President of the Yale Alumni Association, who organized the dinner where Koh supposedly made his remarks. "The account given by Steve Stein of Dean Koh's comments is totally fictitious and inaccurate," she said. "I was in the room with my husband and several fellow alumni, and we are all adamant that Koh never said or suggested that sharia law could be used to govern cases in US courts."

In an e-mail, New School President Bob Kerrey said that he was aware of the recent controversy surrounding Koh's nomination. "I figure that anyone Glenn Beck doesn't like must be OK for us," he said.